

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Gao et al.

Serial No 09/333,876

Filed: 06/14/99

Patent No.:

Issued:

Examiner: EDWARDS, N.

Group No.: 1774

For: **CARBON MANOTUBES ON A SUBSTRATE AND METHOD OF MAKING**

Commissioner for Patents
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY (37 CFR 1.34)

Please recognize as Associate Attorney in this case:

Name of attorney Douglas E. McKinley, Jr.

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Attorney Name/Registration No: Douglas E. McKinley, Jr. Registration No. 40,280

NOTE: Correspondence will be held with the associate attorney unless the principal attorney directs otherwise. MPEP ' 403.01.

NOTE: An associate attorney may not appoint another attorney. M.P.E.P. ' 402.02.

Stephen R. May Nov 21, 2001
Signature of Principal Attorney of Record / Date

Stephen R. May

Type or print name of attorney

Battelle Memorial Institute

P.O. Box 999 - Richland, WA 99352

P.O. Address

Reg. No.: 29,255

Tel. No.: (509) 375-2387

(Associate Power of Attorney [12-7])

File No.: E-1815

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled CARBON NANOTUBES ON A SUBSTRATE AND METHOD OF MAKING, the specification of which

☐ is attached hereto.

☒ was filed on 6/14/99 as
Application Serial No. 09/333,876

☐ and was amended on _____
(if applicable)

☐ with amendments through _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such applications have been filed

☐ such applications have been filed as follows

Prior Foreign Application(s)

Priority
Claimed

NONE

<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Paul W. Zimmerman, Registration No. 34,761
 Stephen R. May, Registration No. 29,255
 Nathan R. Rieth, Registration No. 44,302

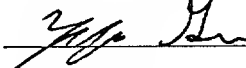
Address all correspondence to:

Paul W. Zimmerman (K1-53)
 Intellectual Property Services
 Battelle Memorial Institute
 Pacific Northwest Division
 Post Office Box 999
 Richland, WA 99352

Direct all phone calls to him at (509) 375-2981

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Yufei Gao

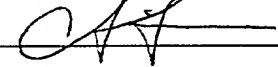
Inventor's signature  6/14/99
Date

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Full name of second joint inventor Jun Liu

Inventor's signature  6/23/99
Date

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Citizenship P.R. China

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Express Mailing Label #EE277182185US

PATENT

File No. E-1743

ASSIGNMENT

Yufei Gao
Jun Liu

to

Battelle Memorial Institute

WHEREAS we, Yufei Gao of Kennewick, in the County of Benton, and State of Washington; and Jun Liu of West Richland, in the County of Benton, and State of Washington, have made certain inventions in **CARBON NANOTUBES ON A SUBSTRATE AND METHOD OF MAKING**, for which we are about to make application for Letters Patent of the United States; and

WHEREAS Battelle Memorial Institute, a corporation of Ohio, organized and existing under the laws of the State of Ohio, and having a place of business in the City of Richland, Washington, is desirous of acquiring an interest in the said invention and in any patent or patents to be obtained therefor;


NOW, THEREFORE, To All Whom It May Concern, be it known that, for and in consideration of the sum of One Dollar (\$1.00) each, and other good and valuable considerations, the receipt of which is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto the said Battelle Memorial Institute, the entire right, title, and interest in and to the invention shown, described, or claimed therein, and the full and exclusive right and title to the said application, executed by us on the 14th day of June, 1999, preparatory to obtaining Letters patent of the United States therefor; and in and to any extensions, reissues, divisions, or renewals thereof; and we do hereby authorize and request the Commissioner of Patents or other proper Officer, to issue such Letters Patent, or any of them, to the said Battelle Memorial Institute, as the assignee of our entire right, title, and interest in and to the same for the sole use and benefit of the said Battelle Memorial Institute, and its successors or assigns.

And we further covenant and agree that we will, at the request and expense of the said Battelle Memorial Institute, execute such other and further assurances of title as may be necessary or proper to fully convey the interest herein sought to be conveyed; that we will, at the request and expense of the said Battelle Memorial Institute, execute such application papers as may be desired by the said Battelle Memorial Institute, for the filing of any division or renewal of the application herein conveyed, or for

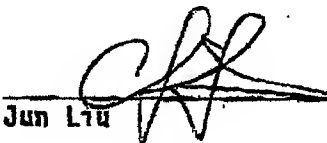
reissues or extensions, of any Letters Patent that may be granted upon said application, and will execute such Supplemental Oaths and Preliminary Statements, or other papers as desired by the said Battelle Memorial Institute.

And we further assign unto the said Battelle Memorial Institute, the whole right, title, and interest to the invention disclosed in the application throughout all countries foreign to the United States, and do hereby authorize the said Battelle Memorial Institute to apply for patents therefor in its own name in countries where such procedure is proper and to claim the benefit of the International Convention and do agree to execute applications for the said invention in the several countries where it is necessary that the same be executed by the inventors, and to execute assignments of such applications and the patents to be obtained therefor to the said Battelle Memorial Institute, the assignee herein, as well as all other necessary papers.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal at Richland, Washington, this 14 day of June, 1999.


Yufei Gao

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal at Richland, Washington, this 23 day of June, 1999.


Jun Liu